

**STATE WATER CONTROL BOARD ENFORCEMENT ACTION
AMENDMENT TO
SPECIAL ORDER BY CONSENT
ISSUED TO
SMITH MOUNTAIN LAKE
4-H EDUCATIONAL CONFERENCE CENTER**

SECTION A: Purpose

This is an Amendment to a Consent Special Order issued under the authority of Va. Code §62.1-44.15(8a) and (8d) by the State Water Control Board to the Smith Mountain Lake 4-H Educational Conference Center, for the purpose of revising certain provisions of the Consent Special Order that was issued by the State Water Control Board to the Smith Mountain Lake 4-H Educational Conference Center on March 28, 2001.

SECTION B: Basis for Amendment:

1. A Special Order by Consent was issued to the Smith Mountain Lake 4-H Educational Conference Center (“the Center”), effective March 28, 2001 (“2001 Order”). The purpose of the 2001 Order was to allow the Center to upgrade/replace the wastewater treatment facilities at the Center with a ‘zero discharge’ operation. The Order established a schedule for compliance (Appendix A), operating requirements (Appendix B), and interim effluent limits (Appendix C).
2. On September 6, 2001, the Department received a letter from the Executive Director of the Center requesting that the Compliance Schedule be amended.
3. Following receipt of the September 6, 2001 letter, WCRO enforcement staff requested, via phone, that the Executive Director present a more detailed letter outlining the timeline anticipated for completion of the upgrade/cessation of discharge at the facility. The Department did not receive the requested letter.

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4. The Order required that no later than April 1, 2002, the Center would achieve compliance with the State Water Control Board Law and Regulations by ceasing discharge at the facility. The method for compliance would involve the installation of an on-site disposal system.
5. The Order also required that if the Center chose a method that would not incorporate the lagoon into the new system, the Center would submit an approved closure plan, for the lagoon, to the WCRO.
6. The Center has an interim Executive Director, Mr. Wayne C. Garst. Mr. Garst informed WCRO enforcement staff that on March 11, 2003, the Center was beginning the official review of 12 proposals for upgrading/replacing the system.
7. On June 10, 2003, WCRO enforcement staff met with Mr. Garst and the Center's consultant. A revised schedule for the upgrade of the facility was presented to the Department.

SECTION C: Agreement and Order

Therefore, the State Water Control Board and the Center agree that it is appropriate to amend the Order as described below and accordingly, the State Water Control Board, by virtue of the authority granted it in §62.1-44.15(8a) and (8d) of the Code, orders the Center and the Center agrees that:

1. To remedy the violations described above and bring the Center into compliance, the Center shall perform the actions described in Appendix A of this Amendment, which supercedes Appendix A of the 2001 Order.
2. The Center shall pay a civil charge of One Thousand Two Hundred Dollars (\$1200.00). Payment shall be by check, certified check, money order, or cashier's check payable to "Treasurer of Virginia" and sent to:

Receipts Control
Department of Environmental Quality
Post Office Box 10150
Richmond, Virginia 23240

Either on a transmittal letter or as a notation on the check or money order, the Center shall indicate that this payment is submitted pursuant to this Order.

The civil charge shall be paid in full no later then 30 days after the effective date of the Order.

3. Both the State Water Control Board and the Center understand and agree that this Amendment

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does not alter, modify, or amend any other provision of the Order and that unmodified provisions of the Order remain in effect by their own terms.

And it is so ORDERED this day of _____, 2003.

Robert G. Burnley, Director
Department of Environmental Quality

I voluntarily agree to the issuance of this Amendment.

Wayne Garst
Interim Executive Director
Smith Mountain Lake 4-H Educational Conference Center
Date: _____

State of Virginia
County of Bedford

The foregoing instrument was acknowledged before me this ____ day of _____, 2003,
by Wayne Garst, who is the Interim Executive Director of the Smith Mountain Lake 4-H Educational
Conference Center.

Notary Public

My commission expires: _____

APPENDIX A - SCHEDULE OF COMPLIANCE

1. Not later than **January 1, 2004**, the Center shall submit to the Regional Office an approvable plan for coming into compliance with the State Water Control Law and the Regulations.
2. Not later than **April 1, 2005**, the Center shall come into compliance with the State Water Control Law and the Regulation by ceasing all discharge from the Facility. The method for coming into compliance shall be to install an on-site disposal system approved by the local Department of Health.
3. If the method chosen includes cessation of all discharges from the Lagoon, the Center shall submit to the local Department of Health an approvable closure plan for the Lagoon for approval. The Center shall submit an approved closure plan to the Regional Office not later than **July 1, 2004**. The closure plan shall include a plan of action and schedule. The Center shall comply with the approved closure plan. Upon installation of the on-site disposal system, the Center shall cease all discharge from the Facility.
4. Beginning on **October 1, 2003**, and continuing thereafter until completion of the upgrade, the Center shall submit to the Regional Office a Quarterly Progress Report detailing and documenting the progress and status of the upgrade.
5. The Center shall submit written notification to the Regional Office of the completion of all items **within 14 days of completion**. If completion does not occur, submit written notification to the Regional Office within 14 days of the due date.